

NIP-188 RECEIVED
FEB 26 2003
TECHNOLOGY CENTER 2880
2881/10
2/26/03

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

H. AKIYAMA et al

Serial No. 09/623,040

Group Art Unit: 2881

Filed: August 25, 2000

Examiner: B. Souw

For: CHARGED PARTICLE BEAM IRRADIATION EQUIPMENT
AND CONTROL METHOD THEREOF

**REQUEST FOR NEW OFFICE ACTION AND
RESET OF THE STATUTORY RESPONSE DUE DATE**

Assistant Commissioner of Patents
Washington, D.C. 20231

Sir:

The undersigned attorney received an Office Action dated January 17, 2003 in the above-identified application. Note that the Office Action did not mention the filing of the Second Preliminary Amendment on November 5, 2002.

Enclosed is a copy of the Second Preliminary Amendment filed on November 5, 2002.

Secondly, the PTO-982 form attached to the Office Action lists 16 U.S. references cited, yet only four of the references were enclosed with the Office Action.

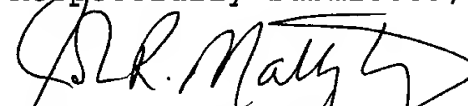
On February 5, 2003, the undersigned attorney's office contacted Examiner Souw regarding the missing references, however the references have not yet been received.

Applicants request that a new Office Action be forwarded indicating that the Amendment filed November 5, 2002 was considered by the Examiner.

Applicants request that all references cited by the Examiner be forwarded to the undersigned attorney with the new Office Action.

Applicants also request that the statutory response due date be reset in consideration of the above omissions.

Respectfully submitted,

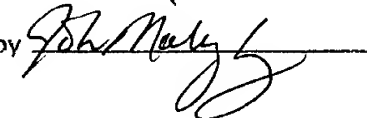


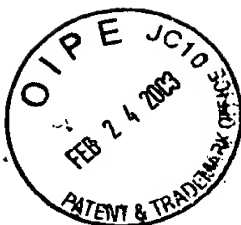
John R. Mattingly
Registration No. 30,293
Attorney for Applicant(s)

MATTINGLY, STANGER & MALUR, P.C.
1800 Diagonal Road, Suite 370
Alexandria, Virginia 22314
(703) 684-1120
Date: February 19, 2003

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:
Commissioner of Patents and Trademarks,
Washington, D.C. 20231

on Feb 19, 2003 by 



RECEIVED

NIP-188

MATTINGLY, STANGER & MALUR, FEB 25 2003
1800 Diagonal Rd., Suite 370
Alexandria, Virginia 22314
(703) 684-1120



In re Patent Application of

H. AKIYAMA et al

Serial No. 09/623,040

Group Art Unit: 2878

Filed: August 25, 2000

For: CHARGED PARTICLE BEAM IRRADIATION EQUIPMENT
AND CONTROL METHOD THEREOF

Papers Filed Herewith:

Transmittal Letter;
SECOND PRELIMINARY AMENDMENT.

Receipt is hereby acknowledged of the papers filed, as
identified in connection with the above-identified patent
application.

COMMISSIONER OF PATENTS AND TRADEMARKS

In RE application of H. AKIYAMA et al

Serial No.: 09/623,040

Group Art Unit: 2878

Filed: August 25, 2000

Examiner:

For: CHARGED PARTICLE BEAM IRRADIATION EQUIPMENT
AND CONTROL METHOD THEREOFAssistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Transmitted herewith is an Amendment in the above-identified application.

- ☐ Small entity status of this application under 37 CFR 1.9 and 1.27 has been established by a verified statement previously submitted.
- ☐ A verified statement to establish small entity status under 37 CFR 1.9 and 1.27 is enclosed.
- ☒ No additional fee is required.

The fee has been calculated as shown below:

	(COL. 1)		(COL. 2)		(COL. 3)
	Claims Remaining After Amendment		Highest No. Previously Paid For		Present Extra
Total	* 8	Minus	** 20	=	0
Indep.	* 2	Minus	*** 3	=	0
<input type="checkbox"/> First Presentation of Multiple Dependent Claims					

SMALL ENTITY	
Rate	Additional Fee
x 9	\$
x 42	\$
+ 140	\$
Total	\$

OTHER THAN A SMALL ENTITY	
Rate	Additional Fee
x 18	\$ 0
x 84	\$ 0
+ 280	\$ 0
Total	\$ 0

- * If the entry in Col. 1 is less than the entry in Col. 2, write '0' in Col. 3.
- ** If the 'Highest Number Previously Paid For' IN THIS SPACE is less than 20, write '20' in this space.
- *** If the 'Highest Number Previously Paid For' IN THIS SPACE is less than 3, write '3' in this space.
- The 'Highest Number Previously Paid For' (Total or Independent) is the highest number found from the equivalent box in Col. 1 of a prior Amendment or the number of claims originally filed.

- ☐ Please charge my Deposit Account No. 50-1417 in the amount of \$ _____.
- ☐ A check in the amount of \$ _____ is attached in payment of: _____.
- ☒ The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 50-1417.
- ☒ Any filing fees under 37 CFR 1.16 for the presentation of extra claims.
- ☒ Any patent application processing fees under 37 CFR 1.17.
- ☒ Any Extension of Time fees that are necessary, which are hereby requested if necessary.

MATTINGLY, STANGER & MALUR, P.C.
1800 Diagonal Rd., Suite 370
Alexandria, Virginia 22314
(703) 684-1120

Date: November 5, 2002

By:

John R. Mattingly
John R. Mattingly
Registration No. 30,298
Attorney for Applicant(s)

RECEIVED
FEB 26 2003
TECHNOLOGY CENTER 2800